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ABSTRACT

One of 33 self-paced instructional modules for training industry services leaders, this module contains three sequential learning activities on interpreting legislation related to industry services. (Industry services are manpower development activities by public agencies to new and expanding private industry.) The first learning activity is designed to provide the needed background information on State and Federal legislation that affects industrial training including legal ramifications that may affect training activities. The second activity provides opportunity to apply the information in a practice situation, and the final check-out activity allows the learner to interpret and apply industry services legislation in a real work situation when he is employed or when serving as an intern learner. Feedback devices (learner self-test, worksheet, and performance checklist) are provided for use by the learner and instructor/supervisor to assess progress. (Two of the other modules also focus on specific aspects of obtaining agreements: Developing training agreements and developing a lead-time schedule.) (JT)

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MODULE NUMBER III-C

INTERPRETING LEGISLATION RELATED TO INDUSTRY SERVICES

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SELF-PACED

INSTRUCTIONAL MODULE

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INSTRUCTIONAL PROCEDURE

This module contains two sequential learning activities and a final check-out activity. A brief overview precedes each learning activity and the final check-out activity. Each learning activity and the final check-out activity provide learning experiences to help you accomplish the objectives. Feedback devices (learner self-test, worksheet, and performance checklist) are provided to help you determine when each objective has been accomplished.

The first learning activity is designed to provide you with the needed background **information**. The second learning activity is designed to give you an opportunity to apply that information in **practice** situations. The **Check-Out Activity** is the final learning activity. It is designed to allow you to interpret and apply industry services legislation in a **real work situation**, such as when you are employed or when you are serving as an intern learner. The **Performance Checklist** (Appendix A) is used by the learner and the instructor/supervisor to assess progress. The checklist is applicable for both practice performance and performance in the real work situation.

After reading the **Objectives** and the **Introduction** on pages 2 and 3 , you should be able to determine how much of this module you will need to complete before the **Check-Out Activity**.

* If you already have the necessary **background information** required for interpreting and applying legislation, you may not need to complete **Learning Activity I**, p. 4 .
* If you already have had **practice** in interpreting and applying legislation, you may not need to complete **Learning Activity II**, p. 17 .
* Instead, with the approval of your instructor or supervisor, you may choose to proceed directly to the **Check-Out Activity**, p. 18, and interpret and apply legislation when you have access to a **real work situation**.

Your instructor or supervisor may be contacted if you have any difficulty with directions, or in assessing your progress at any time.

SUPPLEMENTARY TEACHING/LEARNING AIDS

An effort has been made to make this module as self-contained as possible. The information contained in the module should be sufficient to develop "entry-level" knowledge and skills. However, more information is available on this topic. The advanced learner may wish to attain higher levels of knowledge and skills.

A list of resources which supplement those contained within the module follows. Check with you instructor or supervisor (1) to determine the availability and the location of these resources, and (2) to get assistance in setting up additional learning activities.

Learning Activity I

* A copy of pertinent legislative enactments, available from your state or national congressman/congresswoman
* Agency guidelines for implementing legislative enactments

Learning Activity II

* Access to librarians, members of congress, and agency administrators who may have information on the legislative enactments

Check-Out Activity

* One or more resource persons who administer programs/projects supported by the particular legislative enactments

OBJECTIVES

I. After completing the required reading, take the **learner-self test** to demonstrate that you have attained knowledge of interpreting and applying legislation related to industry services. You should complete all items correctly. **(Learning Activity I)**

II. After analyzing the performance instructions, complete the designated practice learning experiences in interpreting and applying legislation related to industry services. The

practice work must conform to the application worksheet and checklist found in the appendices. **(Learning Activity II)**

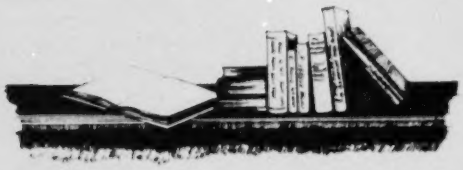
III. In a real work situation, interpret and apply legislation related to industry services. Your performance will be judged satisfactory if all the items on the **Performance Checklist** (Appendix A) are rated "yes." **(Check-Out Activity)**

INTERPRETING AND APPLYING LEGISLATION RELATED TO INDUSTRY SERVICES

INTRODUCTION

The industry services leader may be delegated full managerial responsibilities for the industry services training program. Familiarity with state and federal legislation relating to industrial training, including legal ramifications that may affect training activities, is a requirement for full management of industry services.

The purpose of this unit is to provide information concerning specific federal and state legislation that affects industrial training. Although specific detail is not provided for each enactment, the general information provided will key you to specific information which will be needed to provide the best training services within legal boundaries.



LEARNING ACTIVITY I: INFORMATION

You should study the information presented in the following pages. You may want to acquire additional information of the legislation by writing your national and/or state congressman/woman, or the agencies which implement the enactments. After reading these materials, you will demonstrate knowledge of interpreting and applying industry services legislation by completing the **Learner Self-Test**, p. 11. You will be evaluating your knowledge by comparing your self-test answers with the **Answers to Self-Test**, p. 15.

I. TERMS UNIQUE TO MODULE

A. **Disadvantaged**. Persons who have been deprived of decent standards of living and education because of poverty and a lack of opportunity. (See state department of education definition for disadvantaged youth and adults.)

B. **Education**. Instruction and practice provided for learning basic life and work skills, knowledge, and responsibilities.

C. **Employability skills**. Minimum mental, emotional, and physical requirements for a specified kind of work or position for employment.

D. **In-plant training**. Training which is conducted in the client company plant, and sponsored and monitored by a public education/training institution.

E. **On-the-job training**. Training which is conducted in the client company plant, but which is performed independent of a public education/training institution.

F. **Prospective employee**. A person in training, or one who has completed a training program, and is seeking a specific kind of work or position.

G. **Underemployed**. Employed less than full-time, and/or working in low-skilled, poorly paid jobs when one is trained for, or could be trained for more highly skilled and higher paying work.

II. FEDERAL AND STATE LEGISLATION ENACTED TO ADVANCE THE PURPOSES OF INDUSTRY TRAINING

A. Vocational Education Amendments of 1976

B. The Vocational Education Amendments of 1968

C. The Emergency Employment Act of 1971

D. State Manpower Development and Training Act (MDTA)

E. Comprehensive Employment and Training Act (CETA)

III. OTHER ACTS INDIRECTLY RELATED TO INDUSTRY SERVICES

A. Minimum wage laws and equal pay acts

B. Civil rights acts

C. Child labor laws

D. Workmen's compensation laws

IV. REASONS THAT UNDERLINE THE ENACTMENT OF TRAINING LEGISLATION

A. Unemployment resulting from inflation, recessions, automation, technological changes, and other types of persistent conditions

B. Creation of job opportunities and the training, education, and other services needed to enable individuals to secure and retain employment at their maximum capacity

C. The need to tailor training programs to local, community, and individual needs

D. The need to fit training programs to the specific needs of industry

E. The need to extend training or retraining to those who need upgrading to achieve stability or advancement in employment

F. To provide in-plant training

G. To enable the unemployed to move into training and employment

H. To assist in maintaining, extending, and improving existing programs of vocational education

I. To develop new programs of vocational education

V. BENEFITS THE TRAINEE REAPS FROM LEGISLATION RELATED TO TRAINING

A. Provides useful work experience opportunities

B. **Increases employability skills**

C. **Enhances the ability to obtain or retain employment**

D. **Raises level of education**

E. **Increases opportunities for more productive and profitable employment**

F. **Raises and maintains level of income and living standards**

VI. HOW INDUSTRY SERVICES PROGRAMS HAVE BENEFITED FROM TRAINING LEGISLATION

A. **A reservoir of prospective employees.** Many of the federal and state acts related to training have appropriated funds for training of individuals in the various industrial and technical fields at both the secondary and the post-secondary levels. As a result of this training, a supply of skilled graduates is made available, and serves as a ready source of potential trainees for in-plant training programs.

B. **Training stations.** Some federal and state legislation related to training unemployed and underemployed citizens has provided funds for the construction of area vocational facilities at the secondary and post-secondary levels. These facilities have been, and are currently being used as training stations for many pre-employment training programs.

C. **Tools and equipment.** Tools and equipment purchased by funds set aside by federal and state legislation have been used in the pre-employment phase of training programs.

D. **Manpower and industrial development studies and research.** Findings from manpower and industrial development research funded by federal and state acts related to training may provide significant data upon which the industry services leader can develop goals and objectives for training programs in new and emerging occupations.

VII. THE EFFECTS MINIMUM WAGE LAWS AND EQUAL PAY ACTS HAVE ON THE INDUSTRY SERVICES TRAINING PROGRAM

A. **The amount of wages paid trainees during in-plant training.** Although the trainees of pre-employment training programs are not usually paid during training, trainees in in-plant training programs are given a normal salary during the period of training. For this reason, the industry services leader must keep abreast of the changing

trends of minimum wage laws and their effect upon the program.

B. **Elimination of differentials in pay based on sex.** The industry services leader must be conscious of the fact that pay differentials based on sex are unlawful.

VIII. THE EFFECTS THE CIVIL RIGHTS ACTS HAVE ON INDUSTRY SERVICES TRAINING PROGRAMS

These acts undertake to eliminate all employment discrimination based on color, race, religion, sex, or national origin in all industries affecting interstate commerce. The acts apply to employers, employment agencies, and educational institutions.

IX. THE EFFECTS CHILD-LABOR LAWS HAVE ON INDUSTRY SERVICES

A. **Age requirements for training and employment.** Persons under a certain age cannot be hired for employment, nor should they be enrolled in training programs that lead to immediate employment openings in particular types of industry. Special permits and regulations must be adhered to when persons under the legal age are accepted into in-plant training programs.

Persons under a certain age cannot be hired for employment that entails certain hazardous conditions. The leader must be aware of these facts when considering prospective trainees.

B. **Minimum wages.** So that persons under the legal age will not be exploited by employers, child-labor laws specify that persons under a certain age must be paid a minimum wage.

X. THE EFFECTS WORKMEN'S COMPENSATION LAWS HAVE ON INDUSTRY SERVICES TRAINING PROGRAMS

Employers must carry insurance plans which insure workers against industrial accidents and occupational diseases. These laws are enacted by the state. Both medical care and financial reimbursement are covered. This coverage is not in effect during pre-employment training, although the educational institution instructors should have liability insurance in the event of accidents during pre-employment training.

XI. POLICY REGARDING THE TRANSPORTATION AND SALE OF PRODUCTS MANUFACTURED AS A RESULT OF AN INDUSTRY SERVICES TRAINING PROGRAM

Although the writers of this module could find no reference to federal laws which have been enacted that prohibit the transportation and/or sale of goods and products into interstate commerce that are manufactured in public institutional training programs, it is assumed that such practices are illegal and/or unethical.

XII. THE RELATIONSHIP OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA) TO INDUSTRY SERVICES PROGRAMS

The purpose of this act is to provide job training and employment opportunities for economically disadvantaged, unemployed, and underemployed persons, and to assure that training and other services lead to maximum employment opportunities and enhance self-sufficiency.

A. Title I - Comprehensive Manpower Services

The purpose of this title is to establish a program to provide comprehensive manpower services. Such programs include the development and creation of job opportunities, and the training, education, and other services needed to enable individuals to secure and retain employment at their maximum capacity.

B. Title II - Public Employment Programs

The purpose of this title is to provide unemployed and underemployed persons with transitional employment in jobs providing needed public services in areas of substantial unemployment and, wherever feasible, related training and manpower services to enable such persons to move into employment or training not supported under this title.

C. Title III - Special Federal Responsibilites

This title includes a part on special target groups. It provides training for offenders, persons of limited English-speaking ability, older workers, Indian manpower programs, migrant and seasonal farmworker manpower programs, youth groups, and other special programs.

D. **Title IV - Job Corps**

This title includes programs for low-income, disadvantaged young men and women, with standards and procedures for selecting enrollees into the program. It authorizes the establishment of residential and nonresidential centers to be used in intensive programs of education, vocational training, work experience, counseling, and various other responsibilities associated with the program. The Job Corps assists young persons who need and can benefit from an unusually intensive program, operated in a group setting, to become more responsive, employable, and productive citizens.

E. **Educational institutions and CETA relationships**

The CETA program is often administered locally through area employment service offices. However, other agencies may write a project and obtain approval for administering CETA funds from the prime sponsor. The industry services programs and CETA share some common goals for client companies. Both are concerned with formal instruction being centered on specific job openings. The CETA program must serve the underemployed and unemployed. Industry services programs are not limited in target groups to be served. Pre-employment training is a major concern of the industry services program. The CETA program is largely concerned with on-the-job training.

The CETA program may have advantages over an industry services program if the job skills are highly specialized, or when small numbers of workers are needed in the industry. Since on-the-job CETA programs pay trainee stipends directly to the company, some industries would more likely be willing to work more intensively in training the disadvantaged adults.

The industry services leader must know the facts about CETA and how industry might benefit from CETA services. Referrals should be made to CETA when necessary. The industry services leader might coordinate the initial meeting with industry representatives and CETA representatives. Since CETA provides for on-the-job training, arrangements might be made for pre-employment training programs to be provided through the industry services program, with graduates feeding directly

to an on-the job CETA program. However, these arrangements should be made only after consultation regarding their appropriateness with local and state CETA personnel and education authorities.

*Continue this learning activity by taking the **Learner Self-Test** which follows.

ANSWERS TO SELF-TEST

1. Answer may include any five of the following:
   a. Vocational Education Amendments of 1976
   b. Comprehensive Employment and Training Act (CETA)
   c. The Vocational Educational Amendments of 1968
   d. The Emergency Employment Act of 1971
   e. Minimum wage la vs
   f. Civil rights acts
   g. Child-labor laws
2. a. True
   b. False
   c. True
   d. False
   e. True
3. Answer may include any three of the following:
   a. A reservoir of potential trainees
   b. Training stations
   c. Tools and equipment
   d. Manpower and industrial development studies and research
4. a. False
   b. False

*Proceed to the next learning activity for practice in interpreting and applying legislation related to industry services.

LEARNER SELF-TEST

This is a checkpoint knowledge test needed before proceeding to the task of interpreting and applying legislation related to industrial training. Follow the instructions provided with each item. Check your answers with the **Answers to Self-Test** which follow. If you fail to complete all items correctly, you may wish to refer to appropriate parts of the module information.

1. List five acts, and/or categories of federal and state legislation related to industrial training.

   a.

   b.

   c.

   d.

   e.

2. Are the following items valid reasons that underlie the enactment of federal and state legislation related to training?

Indicate true or false.		True	False
a.	Unemployment resulting from automation and technological changes and other types of persistent unemployment.	_____	_____
b.	To provide on-the-job training exclusively.	_____	_____
c.	To extend training or retraining to those who need to upgrade their skills.	_____	_____
d.	To discontinue existing training programs for the purpose of implementing new ones.	_____	_____
e.	To develop new programs of vocational education.	_____	_____

3. Identify three ways industry services programs benefit from federal and state legislation.

   a.

   b.

   c.

4. Indicate true of false.

	True	False
a. The state employment service always administers CETA programs.	_____	_____
b. Pre-employment training is a primary concern of CETA programs.	_____	_____

LEARNING ACTIVITY II: PRACTICE PERFORMANCE

You will be required to practice interpreting and applying legislation related to industry services. Several subactivities must be completed. You must use the **Application Worksheet** presented in Appendix B to prepare a written report showing the relationships between the legislation and industry services programs. You will be evaluating your performance in developing the report using the **Performance Checklist** from Appendix A.

I. Collect currently enacted federal and state legislation that affects industrial training. Also, collect administrative guidelines which have been prepared for implementing the legislation. The following are sources from which documents may be secured:
   A. Congressional representatives
   B. Libraries of schools, colleges, and universities
   C. Area and state governmental agency offices

II. Carefully read the legislation and the administrative guidelines, taking special note of specific sections and paragraphs that have a direct effect upon the industry services program.

III. Contact and consult with those persons who have a knowledge of the legislation in question, and who have a keen insight into its implications for industrial training. Such persons are:
   A. State vocational-technical education supervisors in industrial education and manpower training
   B. Senators and representatives from your state
   C. Governor's coordinator for CETA programs
   D. Chairman and/or head of the department of industrial and technical education of your local state university
   E. Local school administrators
   F. Heads of various governmental agencies involved in implementing programs supported by the particular legislation

IV. Using the **Application Worksheet** from Appendix B, prepare a written summary of the effect the legislation will have on industrial training and how you plan to coordinate efforts with agencies which will administer/implement the legislation in industrial training activities. Your written report will be judged for quality and accuracy by your instructor or supervisor using the **Performance Checklist** (Appendix A). All items on the checklist must be rated "yes."

*Completion of the previous learning activity should have prepared you for interpreting and applying state and federal legislation related to industrial training in a real work situation. Proceed to the **Check-Out Activity**.

CHECK-OUT ACTIVITY: PERFORMANCE IN REAL WORK SITUATION

The activity below is intended to be conducted in an actual on-the-job situation. It may be completed without completing the two learning activities, if you think you have the proficiency to do so.

You may wish to discuss the particular legislative enactment with one or more persons who administer the programs resulting from the legislation.

In a real work situation, interpret and apply legislation (state or national) related to industry services. You must acquire a copy of the original act and administrative guidelines which have been developed to implement the programs resulting from the legislation. You must determine which functions identified by the legislation are related to your program of industry services and identify the steps you would take to work with the administering agency (s) in providing meaningful industry services.

*After completing the **Check-Out Activity**, you may select another module for study. Your instructor or supervisor may be contacted if you have any difficulty in selecting a module.

APPENDIX A

PERFORMANCE CHECKLIST

Interpreting and applying legislation related to industry services.

INSTRUCTIONS: If the performance is satisfactory, write YES in the space provided. If the performance is unsatisfactory, write NO in the space. Each item must be rated "yes" for satisfactory task performance.

1. An appropriate name of the legislation was given. ☐
2. The overall purpose of the legislation was clearly stated. ☐
3. Existing relationships (if any) between the industry services program, and the agencies administering the programs resulting from the legislation were specified. ☐
4. Functions in the legislation which relate to the industry services program were clearly shown. ☐
5. The steps which would be required to coordinate the industry services program with agencies administering the programs resulting from the legislation were clearly identified. ☐

APPENDIX B

APPLICATION WORKSHEET

THE PROSPECTIVE LEGISLATION

1. What legislation do I want to study?

2. What is the overall purpose of the legislation?

3. Which agencies are designated to administer the funds and programs resulting from the legislation?

4. What are the relationships now existing between your training institution and the agencies which will administer the funds and programs resulting from the legislation?

POTENTIAL RELATIONSHIPS BETWEEN PROGRAMS RESULTING FROM LEGISLATION AND INDUSTRY SERVICES PROGRAMS

1. What functions are identified in the legislation and administrative guidelines which relate to the industry services program?

2. How are the functions related to the industry services program?

3. List the steps you would take to bring each administering agency together to cooperatively provide meaningful industry services.

   a.

   b.

   c.

   d.

   e.

   f.

   g.

   h.

LIST OF INDUSTRY SERVICES LEADERSHIP DEVELOPMENT MODULES

I. **Orientation to Industry Services**

- A. Introduction to Industry Services
- B. Industry Services Leadership Development Program: Guide for Using the Self-Paced Instructional Modules

II. **Establishing Contacts and Relationships**

- A. Speaking to Industrial and Community Groups
- B. Writing Articles for News Media
- C. Identifying Functions of Agencies Involved in Industry Services
- D. Developing a Brochure for Industry Services

III. **Obtaining Agreements**

- A. Developing Training Agreements
- B. Developing a Lead-time Schedule
- C. Interpreting Legislation Related to Industry Services

IV. **Identifying Training Needs**

- A. Collecting Framework Production and Training Information
- B. Selecting Types of Training Programs
- C. Preparing a Budget for an Industry Services Project

V. **Acquiring Resources**

- A. Selecting Instructors for Industry Services
- B. Securing a Training Site
- C. Securing Training Equipment, Tools, and Supplies

VI. **Training Instructors for Industry Services**

Training Instructors for Industry Services

VII. **Preparing for Training**

- A. Adapting the Training Site to Training Needs
- B. Evaluating Safety Conditions at Training Sites
- C. Announcing the Opening of a Training Program

VIII. **Preparing Training Materials**

- A. Conducting a Task Analysis
- B. Developing Performance Objectives
- C. Determining Types of Instructional Methods and Media
- D. Developing Performance Tests
- E. Developing Training Manuals
- F. Preparing Videotapes for an Industry Services Program
- G. Setting Up Learning Centers for Industry Services Programs

IX. **Selecting Candidates**

Developing a Plan for Testing and Counseling Applicants for a Training Program

X. **Monitoring Training Programs**

- A. Assisting in Providing Pre-Employment and In-Plant Training
- B. Developing a Procedure for Keeping Participating Agencies Informed About Training Program Activities
- C. Monitoring Training Programs for Progress and Expenditures

XI. **Closing Training Programs**

Closing a Training Program

XII. **Placing Program Participants**

Developing a Plan for Placing Graduates of a Pre-Employment Training Program

XIII. **Evaluating Industry Services Programs**

Evaluating Industry Services Programs

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